

Govt. filed in open court on 10/11/07
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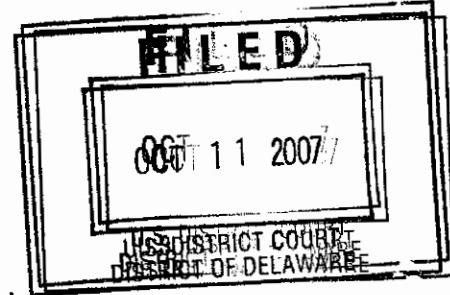
**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	}	
Plaintiff,	}	
v.	}	Criminal Action No. 07-129-SLR
MICHAEL HENRY,	}	
Defendant.	}	

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (check all that apply):
 - Crime of violence (18 U.S.C. § 3156)
 - Maximum sentence life imprisonment or death
 - 10+ year drug offense
 - Felony, with two prior convictions in above categories
 - Minor victim
 - Possession/ use of firearm, destructive device or other dangerous weapon
 - Failure to register under 18 U.S.C. § 2250
 - Serious risk defendant will flee
 - Serious risk obstruction of justice



2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):
 - Defendant's appearance as required
 - Safety of any other person and the community

3. **Rebuttable Presumption.** The United States WILL invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (check one or both):

Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c), or a federal crime of terrorism, or a specified offense (_____) with minor victim

Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

At first appearance

After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States requests the temporary detention of the defendant for a period of _____ days (not more than 10) so that the appropriate officials can be notified since (check 1 or 2, and 3):

1. At the time the offense was committed the defendant was:

(a) on release pending trial for a felony;

(b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

(c) on probation or parole for an offense.

2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

3. The defendant may flee or pose a danger to any other person or the community.

6. Other Matters.

DATED this 11th day of October, 2007.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY: Christopher J. Burke
Christopher J. Burke
Assistant United States Attorney